

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/802,166  
Inventor(s) : James Robert Schwartz et al.  
Filed : 3/17/2004  
Art Unit : 1616  
Examiner : Ernst V. Arnold  
Docket No. : 9184M  
Confirmation No. : 4150  
Customer No. : 27752  
Title : COMPOSITION COMPRISING ZINC-CONTAINING  
LAYERED MATERIAL WITH A HIGH RELATIVE ZINC  
LABILITY

AMENDMENT AFTER 1<sup>ST</sup> OFFICE ACTION UNDER 37 CFR §1.111(c)  
AND  
TERMINAL DISCLAIMER under 37 CFR 1.321(c)

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

In response to the non-final action of August 6, 2008, the time for response being extended by three months, providing for a timely response up to and including February 6, 2009, pursuant to the fee charged to the Assignee's Deposit Account in the papers submitted herewith, please amend the above-identified application as follows and consider the following remarks, terminal disclaimer and reconsider the application.

Please consider the above-identified application as follows:

*Amendment of the Claims* begin on page 2 of this paper.

*Remarks* begin on page 7 of this paper.